

Case 3337***Hydroporus discretus* Fairmaire & Brisout de Barneville, 1859
(Insecta, Coleoptera): proposed conservation of the specific name**

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Abstract. The purpose of this application, under Article 23.9.3 of the Code, is to conserve the specific name *Hydroporus discretus* Fairmaire & Brisout de Barneville, 1859 for a widespread diving beetle species. An application to conserve the name *Hydroporus discretus*, and to place its senior synonym *Hydroporus neuter* Fairmaire & Laboulbène, 1855 on the Official Index of Rejected and Invalid Specific Names in Zoology was published in 2001 as Case 3147 (BZN 58: 105–107). The case received a majority of Commission votes, but did not achieve the two-thirds required (BZN 61: 59–60), apparently because of inappropriate presentation of the evidence concerning prevailing usage of the name *Hydroporus discretus*. Data presented here unambiguously prove that maintenance of priority of the name *Hydroporus neuter* is not in accordance with nomenclatural stability.

Keywords. Nomenclature; taxonomy; Coleoptera; DYTISCIDAE; *Hydroporus neuter*; *Hydroporus discretus*; diving beetle; Europe; Palaeartic.

1. The name *Hydroporus discretus* Fairmaire & Brisout de Barneville, 1859 (Coleoptera, DYTISCIDAE) is generally used for a species widely distributed in the Palaeartic region, where it is known from Europe, Africa and Asia, including more

than 40 countries from Ireland to China (see Nilsson, 2001, 2003). It is especially common in western, central and northern Europe.

2. An application to conserve the name *Hydroporus discretus*, threatened by its senior subjective synonym *Hydroporus neuter* Fairmaire & Laboulbène, 1855, was published by Fery in 2001 as Case 3147 (BZN 58: 105–107). A comment in support of the application was published by G. Foster in BZN 59: 38 and a comment opposing the application was published by P. Bouchet in BZN 58: 305. The application was voted on twice, the original vote resulting in a majority (but not the required two-thirds) and the revote also not achieving the required majority, the implication being that the name *Hydroporus neuter* Fairmaire & Laboulbène, 1855 retains priority.

3. Two of the nine Commissioners who had voted against the proposal presented their views: as ‘the applicant has not demonstrated that a name so infrequently used as *Hydroporus discretus* needs conservation’ (BZN 58: 305) and ‘evidence presented concerning prevailing usage of the junior synonym *Hydroporus discretus* was insufficient to warrant suppression of its senior synonym *Hydroporus neuter* Fairmaire & Laboulbène, 1854’ (Opinion 2065; BZN 61: 60).

4. In fact, the applicant did not demonstrate sufficient evidence of prevailing usage of the junior synonym *Hydroporus discretus*, which misled some of the members of the Commission. Indeed, the references compiled by the applicant included only well-known catalogues and other publications of outstanding importance. The data presented below unambiguously prove that the maintenance of the priority of the name *Hydroporus neuter* is indeed threatening stability. The name *Hydroporus discretus* has been in continuous use since 1887 and it was treated as a valid name in hundreds of publications since then. We have compiled a list of references (held by the Secretariat) containing 521 publications in which the name *Hydroporus discretus* was used as valid. 143 of these papers were published before 1950, 378 were published since 1950. In contrast, *Hydroporus neuter* was used only once during the entire 20th century, in a most controversial paper by Ádám (1996); critical comments on this paper were published by Nilsson (1998). In the *Coleopterorum Catalogus* (Zimmermann, 1920, p. 83) *Hydroporus discretus* is listed as a valid name and *Hydroporus neuter* is placed among its synonyms. In the *World Catalogue of Insects* (Nilsson, 2001, p. 156) *Hydroporus discretus* is still listed as the valid name and the following note is added after the name *Hydroporus neuter*: ‘To be rejected; CASE 3147’.

5. In the *Catalogue of Palaearctic Coleoptera* (Nilsson, 2003, p. 60) the name *H. neuter* was omitted intentionally in order to guarantee unchallenged validity of the name *Hydroporus discretus*.

6. The conservation of the name *Hydroporus discretus* is supported by 109 water beetle experts from 28 countries, including practically all DYTISCIDAE specialists worldwide. A list of the supporters (containing their names and e-mail addresses) is held by the Secretariat. Numerous supporters sent their comments along with their declaration of support.

7. The International Commission on Zoological Nomenclature is accordingly asked:

- (1) to use its plenary power:
 - (a) to rescind Opinion 2065;

- (b) to suppress the name *neuter* Fairmaire & Laboulbène, 1855, as published in the binomen *Hydroporus neuter*, for the purposes of the Principle of Priority but not for those of the Principle of Homonymy;
- (2) to place on the Official List of Specific Names in Zoology the name *discretus* Fairmaire & Brisout de Barneville, 1859, as published in the binomen *Hydroporus discretus*;
- (3) to delete the entry for *Hydroporus neuter* Fairmaire & Laboulbène, 1855 on the Official List of Specific Names in Zoology;
- (4) to place on the Official Index of Rejected and Invalid Specific Names in Zoology the name *neuter* Fairmaire & Laboulbène, 1855, as published in the binomen *Hydroporus neuter*, as suppressed in (1)(b) above.

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Comments on this case are invited for publication (subject to editing) in the *Bulletin*; they should be sent to the Executive Secretary, I.C.Z.N., c/o Natural History Museum, Cromwell Road, London SW7 5BD, U.K. (e-mail: iczn@nhm.ac.uk).